

MICHAEL EDWIN MCLEMORE,
Petitioner,
v.
SCOTT R. FRAKES,
Respondent.

MEMORANDUM AND ORDER

IT IS ORDERED that:

- (1) Respondent shall file an answer and brief or a motion for summary judgment and brief no later than Friday, July 5, 2019.
- (2) Petitioner shall file a brief in response no later than Monday, August 5, 2019.
- (3) Respondent may file a reply brief no later than Thursday, September 5, 2019. In the event that Respondent elects not to file a reply brief, he should inform the court by filing a notice stating that he will not file a reply brief and that the motion is therefore fully submitted for decision.
- (4) Copies of the answer or motion for summary judgment, the designation, and Respondent's brief must be served on Petitioner at the time they are filed with the court except that Respondent is only required to provide Petitioner with a copy of the specific pages of the designated record that are cited in Respondent's answer and brief or motion and brief. In the event that the designation of state court records is deemed

insufficient by Petitioner or Petitioner needs additional records from the designation, Petitioner may file a motion with the court requesting additional documents. Such motion must set forth the documents requested and the specific reasons the documents are relevant to the cognizable claims and Respondent's arguments.

(5) No discovery shall be undertaken without leave of the court. See Rule 6 of the Rules Governing Section 2254 Cases in the United States District Courts.

(6) My description of the claims previously set forth in the prior progression order (filing no. 3) remain the same.

(7) The clerk of the court is directed to set a pro se case management deadline in this case using the following text: **[September 5, 2019]**: check for Respondent's reply brief.

DATED this 4th day of June, 2019.

BY THE COURT

s/ Richard G. Kopf
Senior United States District Judge